

GENDER POLICY



THE LOWER USUTHU SMALLHOLDER IRRIGATION PROJECT AND THE RURAL FINANCE ENTERPRISE DEVELOPMENT PROGRAMME

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GLOSSARY OF TERMS

Discrimination

This means any distinction, exclusion or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by any person, of human rights and fundamental freedoms in the political, economic, social, civil and any other field.

Empowerment

Giving men, women, boys and girls the power to develop critical skills and proactive minds so as to reorganise their perceptions about themselves and the environment around them-thus enabling them to make decisions about directions and priorities in their lives on their own without some external prodding or influence.

Engendering

Making the process or activity to become gender-sensitive or gender responsive by incorporating gender needs and/or eliminating gender discriminatory policies, strategies and practices.

Gender

A two faceted term referring firstly to an analytical variable used to analyse policies, programmes and projects how their implementation impacts differently between men, women, boys and girls in terms of their access to and control over resources and benefits arising there from. Secondly, as a set of socially constructed roles and responsibilities assigned to men and women, boys and girls and how they are socialised to accept and conform to these roles and responsibilities in their daily lives.

Giving men, women, boys and girls the power to develop critical skills and proactive minds so as to reorganise their perceptions about themselves and the environment around them-thus enabling them to make decisions about directions and priorities in their lives on their own without some external prodding or influence.

Gender based violence

This refers to all acts perpetrated against women, men, girls and boys on the basis of their sex

which cause or could cause them physical, sexual, psychological, emotional, economic harm, including the threat to take such acts, or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms private or public life in peace time and during situations of armed or other forms of conflict.

Gender Blindness

The inability to perceive that there are differences in gender roles, responsibilities among and between groups of men, women, boys and girls, and that as a consequence of these differences, policies, programmes and projects can have differential impact on men, women, **boys and girls.**

Gender discrimination

This means that individuals are treated differently on the basis of their sex. This is maintained by structural discrimination against women in the distribution of income, access to resources and participation in decision-making.

Gender division of labour

This describes a pattern in which society assigns women one set of roles and men another set, based on distribution of reward.

Gender equity

It means fairness and justice in the distribution of benefits and responsibilities. A gender equity approach ensures that women have a fair share of the benefits and responsibilities in society as well as equal treatment before the law, equal access to social services, including education and equal work pay for work of equal value.

Gender Gaps

The differential access and benefits to resources, for example, in education (scholarships, placement) employment (job bunching, pay and conditions) political participation (local, national and international levels) by women, men, boys and girls.

Gender Mainstreaming

The process of re-organizing, improving, developing and evaluating policymaking processes

so as to incorporate a gender perspective in all policies at all levels and at all stages.

Gender roles

This means socially defined roles for women and men. Definitions of gender roles change over time and differ between cultures.

Gender sensitivity

This means the ability to acknowledge and recognise gender issues, especially the ability to recognise women's distinct perceptions and interests arising from their gender role. GS is the beginning of gender awareness, which is more analytical and more questioning of gender disparities. It means taking into account specific gender needs of both women and men at all levels of planning, implementation, monitoring and evaluation.

Gender stereo-typing

This occurs when men or women are persistently attributed certain characteristics or roles, thereby creating the belief that these are invariably linked to gender. For instance, the perceptions that all women are weak and caring and that all men are strong and able to make important decisions are stereotypes that are frequently encountered. Gender stereotyping reinforces gender inequality by portraying assumptions and conditions that maintain the inequality as biologically or culturally fixed

Multiple Roles

This means the several responsibilities that women shoulder in the reproductive, productive and community management spheres.

Patriarchy

This is the male precedence of ownership and of the control of resources and of the control of resources that maintain gender discrimination.

Practical Gender Needs

These are concerned with inadequacies in living conditions such as water, food, healthcare, employment and income. They arise in a given context and usually met within the short-

TERM. When practical gender needs *are addressed or met*, it improves the **CONDITION** of men and women without challenging or changing their roles.

Sex roles

This means roles defined by biological differences between men and women. For instance, pregnancy and child-bearing are female sex roles that men cannot assume.

Strategic Gender Needs

These arise from the subordinate position of men and women in society. They arise in a given context. These needs challenge or change the existing roles and responsibilities. Examples include equal pay for work of equal value, equal legal rights, access to decision-making positions, power to make independent decisions on when and how to use assets, assertiveness and networking. When strategic gender needs are **ADDRESSED**, it improves the **POSITION** of men and women.

LIST OF ABBREVIATIONS AND ACRONYMS

ACAT	Africa Cooperative Action Trust
AIDS	Acquired Immuno Deficiency
ARVs	Anti-Retrovirals
BWFS	Business Women's Forum of Swaziland
CBOS	Community Based Organisations
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Constitutional Review Commission
CSO	Civil Society Organisations
DHS	Demographic Health Survey
DPMs	Deputy Prime Minister's
EPD	Economic Planning and Development
FAs	Farmers Associations
FDGs	Focus Group Discussions
FHHs	Female Headed Households
FINCORP	Swaziland Development Finance Corporation
FSE	Federation of Swaziland Employers
FSP	Food Security Policy
GBV	Gender Based Violence
GDP	Gross Domestic Product
GOS	Government of Swaziland

HIV	Human Immunodeficiency Virus
HRC	Human Rights Commission
IEC	Information, Education Communication
IFAD	International Fund for Agricultural Development
LGBTI	Lesbian, Gay, Bisexual, Transgender, Intersex
LUSIP	Lower Usuthu Small Holder Irrigation Project
M&E	Monitoring and Evaluation
MDGs	Millennium Development Goals
MFI	Micro Finance Institutions
MHHs	Male Headed Households
MONR	Ministry of Natural Resources
MOA	Ministry of Agriculture
MOCI	Ministry of Commerce and Industry
MOF	Ministry of Finance
MP	Member of Parliament
MTEF	Medium Term Expenditure Framework
MTN	Mobile Network
NDS	National Development Strategy
NGOs	Non- governmental Organizations
NGP	National Gender Policy
PPCU	Public Policy Unit

PRSAP	Poverty Reduction Strategy and Action Programme
RFEDP	Rural Finance and Enterprise Development Programme
SADC	Southern Africa Development Cooperation
SAFAIDS	Southern Africa AIDS Organization
SC	Save the Children
SCOGWA	Stirring Committee on Gender and Women's Affairs
SEDCO	Small Enterprise Development Company
SHIES	Swaziland Household Income and Expenditure Survey
SLC	Swazi Law and Custom
SMEs	Small and Medium Enterprises
SNL	Swazi Nation Land
SPEED	Swaziland Programme for Economic Empowerment and Development
SSA	Sub-Saharan Africa
SWADE	Swaziland Water and Agricultural Development
SWANEPHA	Swaziland Network for People Living with HIV/AIDS
SWAGAA	Swaziland Action Group Against Abuse
SWEET	Swaziland Women Economic Empowerment Trust
TB	Tuberculosis
TGNP	Tanzania Gender Network Group
VAW	Violence Against Women
WLSA	Women and Law in Southern Africa

1 PREAMBLE

The Lower Usuthu Smallholder Irrigation Project (LUSIP) and the Rural Finance and Enterprise Development Programme (RFEDP) are poverty alleviation initiatives co-financed by the Government of Swaziland (GOS) and the International Fund for Agricultural Development (IFAD). The goal of the LUSIP and the RFEDP is to reduce poverty and contribute to the overall economic development of poor rural households in Swaziland.

The LUSIP on one hand is under the Swaziland Water and Agriculture Development Enterprise (SWADE), which is a government parastatal whose mission is to reduce poverty and sustain improvement in the standard of living of the population in the Lower Usuthu Basin, through commercialization and intensification of agriculture. The RFEDP on the other hand is located within the Ministry of Finance and has several key implementing partners (Government, private sector, NGOs).

1.1 GENDER CONCERNS IN SWAZILAND

Gender gaps in Swaziland manifest themselves in all the spheres of life, socio-cultural, socio-economic and socio-political. The overriding factor is patriarchy where male interests override those of females in the different spheres of life. Gender inequalities that exist in social, economic, cultural and political spheres lead to a systematic process of unequal development between the sexes. This unequal development has meant that women are not equal partners, and hence the development process has excluded a large sector of the population.

1.1.1 GENDER CONCERNS IN THE ECONOMIC SPHERE

The World Bank's classification of Swaziland as a middle income developing country conceals serious inequities in income distribution.¹ Whilst the country's GDP per capita remains above the average for Sub-Saharan Africa (SSA), other socio-economic measures indicate deteriorating conditions. Gender concerns identified in the economic sphere included, poverty, unemployment, women's workload, food security, aid and relief, access to resources

Studies have indicated a correlation between poverty and gender. The 1997 Human Development Report for instance showed that there was a link between gender inequality and overall human poverty. Studies indicated that female headed households are highly associated

¹Swaziland has a per capita income of approximately US\$1,350

with poverty as measured by earned income and often in respect of social and other non-economic indicators. Female headed households (FHHs) are usually disadvantaged in terms of lack of controlled assets, lower availability of household labour and greater dependants and caring. Women and children are frequently dispossessed of their property when the male head of household dies. This is because of married women's belonging whereby they remain outsiders in their marital families. Because of their minority status at marriage the in-laws dispossess her of the property in the name of their son who belongs to the clan. The gendered nature of poverty is now widely known as the feminisation of poverty and the description is based on the increasing evidence that women have a high incidence of poverty than men with 63% of FHHs being poor and without productive assets compared to 53% male headed households (MHHs) (*PRISAP June 2007*). Also most widows, regardless of their age are poorer at 73%, especially where the husband was the sole bread winner than their married counterparts whose poverty levels stand at 66.99%. (SHIES 1995).

Another emerging challenge is that of increasing numbers of child headed households that are as much impoverished as those that are female headed. The alarming prevalence of HIV and AIDS has exacerbated the level of destitution and vulnerability to poverty among men, women and children. Currently at 103, 000 (23%) of all children are orphaned and another 11% are vulnerable) which was expected to have increased to 200, 000 by 2010. According to the vulnerability study of 2006, the economic base of the HIV infected households is depleting at an alarming rate. They experience a 54.2% reduction in maize production and 34.2% reduction in area of land cultivation.

Statistics indicate that unemployment is higher among women and the youth. Within the LUSIP, most women were employed by the Farmers Associations as laborers and most of them had found employment for the first time. A number of out of school youths were also looking for employment as they expressed the need to find employment in cities and towns. For them being involved in the association work was to while away time until they found employment. According to the Demographic Health Survey (DHS) 2006-2007, women exert less control over the earnings or capital they have as out of the 31% of the population in gainful employment women account for only 24% and males 40%.

The agricultural sector plays a vital role in the Swazi economy and forms the second largest sector in the GDP after manufacturing. Agricultural production is mainly carried out by women who constitute about 70% of the rural population. One of the major gender concerns is that although most women are the producers they do not own the means of production. Swazi Nation Land(SNL) for instance is obtained through paying allegiance to the chief and only

males can access land this way. Women may only access land through males, as husband, father or son and other male relatives.

Because of migration and urbanization most men left the rural sites to look for employment. The women left behind are burdened with multiple roles which translate to heavier workloads than men. Whether she is in a full-time job in the formal or informal sector, the role of a wife, mother, homemaker, comforter, caretaker, food producer remains a woman's job. The women's workload in the agricultural sector is more onerous because of lack of services such as portable water supply and drudgery of farm-work.

1.1.2 GENDER CONCERNS IN THE SOCIAL SPHERE

Swaziland has a patriarchal family where family members are positioned into power relations where others have power and authority whilst others are subservient and comply within those relationships. Patriarchy and gender relations are therefore rooted in the family structure. Males occupy a dominant status whereas women are subordinate and have less power. Within the family structure girls and boys are socialized on certain roles and responsibilities which emphasize the dominant position of men and subordinate position of women. Other socialization institutions include the school and the church.

Certain social practices reinforce discrimination between women and men and girls and boys. Such practices include polygyny, widowhood and inheritance. The Swazi Law and Custom (SLC) recognize polygynous marriages where a man marries more than one wife. In such marriages women are not equal partners. In a case where resources are limited there is often fighting over access and utilization of such resources. For instance, since males are the ones who are allocated land, it becomes difficult for him to allocate as per need of each wife and her children because the irrigable land within the LUSIP for example has to be shared by many homesteads. Where resources are abundant each wife should be allocated land in order to ensure that each household (*indlu/lidladla*) provides for its unit as the Swazi idiom goes that "*tindlu atidlelani*" which means that each household is an independent unit.

Another major social concerns in Swaziland and for all in the region is that of HIV and AIDS. "Southern Africa has the highest level of HIV infection rates in the world with more than 37% of all people living with HIV. Transmission is commonly through unprotected heterosexual sex (92%). Due to economic, biological and physical factors, women and girls in the 20-49 age groups are disproportionately more vulnerable to HIV infection compared to their male counterparts. Studies indicate that 75% of all young people infected with HIV in Sub-Saharan Africa are girls." (SAFAIDS, Position Paper). Research demonstrates how social

practices such as payment of lobola (bride's price), widow inheritance and violence against women (VAW) reinforce the subordinate status of women and girls, increasing their vulnerability to HIV infection.

Another major social concern in Swaziland is that of GBV continues to be a growing phenomenon. Types of GBV include: psychological, physical, sexual, economic and emotional abuse. All forms of violence result in physical and psychological trauma for the survivor or victim. Overwhelmingly, however, women rather than men are the major survivors or victims of GBV and hence the terminology of violence against women has become so much a part of Swazi life such that it is now processed to be a norm. Women have been socialized to silently accept male violence. This then breeds the culture of silence around issues of GBV including domestic violence.

The legal status of women in Swaziland also contributes in one way or the other to gender inequalities in the social sphere. Information amassed and documented over the past decade or so by WLSA research and other researches on the legal status of women in Southern Africa indicates how the law inhibits to a large extent women's access to certain essential resources. Also, it is a fertile ground for social attitudes and behaviours that are oppressive in many ways to women. Studies conducted by legal experts in Swaziland indicated that both the Roman Dutch Law and the Swazi Law and Custom are discriminatory towards women (WLSA, 2008)

Swazi Law and Custom (customary law) regards married women as perpetual minors and places them under the guardianship of men. As minors, married women have no direct rights to inheritance, custody and guardianship of their children as well as land rights. Customarily, the eldest son in the family becomes in charge of his father's estate and holds it in trust for the family. As access to land follows the male lineage and membership to a certain clan based on blood relationship. This strong emphasis on family association based on blood relationship makes a wife an outsider as her ties to the clan is based on marriage and not blood.

Customary law is not codified and there are different interpretations of the law in different parts of the country. The question of which customary law is paramount becomes difficult since customary law is dynamic and changes over time with all the social, economic and political movements that are taking place. Succession according to customary law is patrilineal, even if the deceased had no sons, he will always have to be identified among other family members no matter how distant the relationship. A widow and her daughters cannot inherit under customary law unless the winding of the estate is done by the Master of the High Court who has now been given authority to administer such estates. Under the Roman-Dutch

Common Law women who are married in community of property are considered as minors. For women, legally this means that as minors they cannot enter into legally binding contracts without their husband's consent. Similarly, they cannot approach banks for a loan and cannot start businesses on their own. Likewise, women cannot register title on title deed land because of the provisions in the Deeds Registry Act which clearly prohibits women from acting on their own. The exclusion of women from owning property under both regimes contributes to poverty in that women will be constrained in producing food and even to access natural resources such as water and fuel.

1.1.3 GENDER CONCERNS IN THE POLITICAL SPHERE

Power to make decisions at all levels is vested in males as women are minors even in adulthood. At the family level they make decisions in the homes including in matters that affect women's lives, for example, procreation. It is common to hear that a married woman is pressurized by her in-laws to bless them with a child even in instances when she is not ready to start procreation. In a study by WLSA (2008) women who were HIV positive were forced to declare their HIV status to their in-laws when they failed to succumb to the pressure to start procreating. Because of patriarchy, women's interests are largely under-represented in formal and informal decision-making structures as compared to male interests as they are the major decision makers.

Although nowadays there are women in various positions of power or decision-making, albeit in insignificant numbers, these seem to have been more of an ad-hoc rather than systematic development. Furthermore, the paucity of their numbers in those positions diminishes their true value or value of their contribution and hence the impact they could make for the betterment of their lot and the citizenry in general. Different forms of socialization (cultural, religious, family roles, responsibilities or expectations) may inadvertently further discriminate, marginalize and compromise women's effectiveness once in these positions such that they are not taken seriously by their male counterparts or colleagues.

1.2 INITIATIVES TO ADDRESS GENDER CONCERNS IN SWAZILAND

A lot of effort has gone into enhancing gender equality and empowerment of women in Swaziland at national, regional and international levels. At the national level the government of Swaziland has initiated some measures towards achieving gender equity and equality. The Swazi government has taken a positive interest in engendering the national policy documents.

National processes which address gender issues include the National Development Strategy² (NDS), the poverty reduction strategy and action plan³ (PRSAP), Food Security Policy⁴ (FSP), National Gender Policy⁵ (NGP) and The Constitution of the Kingdom of Swaziland⁶ (2005).

Within the region there have been inroads made at the SADC level with the states committing themselves to gender equality that targets and improves the lives of women. This came about with the historic signing of the Gender and Development Declaration⁷ in September 1997. Most recently, that is, the 17th August 2008, the SADC Heads of States adopted the SADC Protocol on Gender and Development⁸ in order to underline their commitment to the advancement of gender equality in their respective countries. The SADC Protocol, firstly, encompasses instruments for achieving gender equality, enhances these instruments by

2 The National Development Strategy Vision 2022 launched on the 27th August 1999

3 This programme places emphasis on affording equal opportunities to all citizens regardless of sex to access social and economic services in order to enhance their development. PRSAP identified the minority status of women as a challenge to poverty reduction in that it inhibits the full participation of women in deliberations at community level.

4 It is National Policy to improve the impact of gender on food availability by special programmes. Strategies include: (a) Support and implement commitments made at the Fourth World Conference on Women, Beijing 1995, that a gender perspective is mainstreamed in all policies. (b) Promote women's full and equal participation in the economy, and for this purpose introduce and enforce gender-sensitive legislation providing women with secure and equal access to and control over productive resources including credit, land and water including irrigation and appropriate credit services and that job creation opportunities are focused on those most in need.

5 This programme places emphasis on affording equal opportunities to all citizens regardless of sex to access social and economic services in order to enhance their development. PRSAP identified the minor status of women as a challenge to poverty reduction in that it inhibits the full participation of women in deliberations at community level.

6 Refer to footnote 1

7 The countries committed themselves to “repealing and reforming all laws, amending constitutions and changing social practices which still *subject women to discrimination, and enacting empowering gender-sensitive laws*”.

8 The SADC Protocol on Gender and Development addresses the following issues

1. That the Constitutions in the region should enshrine gender equality and to give such provisions primacy over customary laws that are discriminatory to women are to be repealed. the provision for equality in accessing justice, marriage and family rights and the rights of widows, elderly women, the girl-child, women with disabilities and other socially excluded groups
2. Equal representation of women in all areas of decision-making both public and private to be achieved through constitutional and other legislative provisions including affirmative action. Also that that these should ensure that women participate effectively in electoral processes and decision-making.
3. Equality in education and training for women and men, as well as their retention at all levels of education. Also, provides for challenging of stereotypes in education and eradication of gender based violence in educational institutions.
4. Equal participation of women in economic policy formulation and implementation. Also, provisions and targets on entrepreneurship, access to credit and public procurement contracts, as well as stipulations n trade policies, equal access to property, resources and employment.
5. The implementation of a variety of strategies, including enacting, reviewing, reforming and enforcing laws, aimed at eliminating all forms of gender based violence and trafficking. Adoption and implementation of policies and programmes that address the physical, mental, emotional and social wellbeing of women with specific targets for reducing the maternal mortality ratio and ensuring access to quality sexual and reproductive health services. Prevention, treatment care and support in relation to HIV and AIDS.
6. Gender to be mainstreamed in all information, communication and media policies and laws.

addressing gaps and set specific measurable targets where these do not already exist. It also advances gender equality by ensuring accountability by all SADC Member States, as well as providing a forum for the sharing of the best practices, peer support and review.

At the international level activism around gender issues has been more visible than ever. The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) also known as the Women's Convention, challenges every form of discrimination against women, The Convention defines discrimination against women (article 1) as "distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field." The most important articles for the LUSIP and RFEDP areas of operation are article 4⁹ and article 14¹⁰. Article 4 calls for Affirmative action and article 15 calls upon States Parties to consider support for women in the rural areas.

⁹ States Parties are called upon to ensure:

1. Adoption ... of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity have been achieved, and
2. Adoption by States Parties of measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory

¹⁰ States Parties shall:

- 1) Take into account the particular problems faced by rural women and the significant roles which women play in the economic survival of their families, including their work in the non-monetised sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas,
2. Take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:
 - a) To participate in the elaboration and implementation of development planning at all levels
 - b) To have access to adequate health care facilities, including information, counselling and services in family planning,
 - c) To benefit directly from social security programmes,
 - d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency,
 - e) To organise self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment,
 - f) To participate in all community activities,
 - g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian-reform as well as in land resettlement schemes and) to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Swaziland ratified CEDAW in the year 2004 without reservations and the women of Swaziland celebrated this important landmark. However, Swaziland has failed to domesticate CEDAW and other international instruments rendering them as ineffective in protecting the rights of women and children in Swaziland. Domestication of international instruments ensures that they are incorporated in the domestic laws and admissible in a court of law. The 1995 United Nations Women's World Conference (Beijing Platform for Action) held in Beijing, which developed twelve critical areas of concern for women and committed governments and the international community to addressing them, is one such example. The Beijing plus Five Conference held in 2000 as a follow up to the Beijing Platform for Action, focussed on the achievements made since the Beijing conference and reaffirmed its commitment to the critical areas of concern¹¹. Swaziland participated in these initiatives, joining other governments in committing itself to the Beijing Declaration.

All these efforts by Government, Civil society organizations (CSOs), regional and international bodies need to be recognized through organizational gender policies in order to take the advocacy on gender issues and gender mainstreaming to a higher level. Now that the Gender Policy has been adopted it is an opportune time to implement gender equality in development in a bid "to eliminate discrimination among men, women and youth and equip men, women and youth with knowledge and skills towards equal participation; whilst appreciating the social construct of an individual." (NGP: 2010).

2. PROBLEM STATEMENT

Despite the above initiatives at different levels on gender equity and equality in the different spheres of life women continue to be denied equal opportunities in all the spheres of life-political, economic, social, cultural and civil. Practices, laws and policies in place undermine the spirit of gender equality and equity. The laws are not only outdated, but are not compatible with the human rights instruments mentioned above. This situation is also compounded by a

¹¹ The Beijing Declaration and Platform for Action calls on governments, the international community and civil society, including non-governmental organizations and the private sector, to take action in the following areas: the persistent and increasing burden of poverty on women; inequalities and inadequacies in, and unequal access to, education and training; inequalities and inadequacies in, and unequal access to health care and related services; violence against women; the effects of armed or other kinds of conflict on women, including those living under foreign occupation; inequality in economic structures and policies, in all forms of productive activities and access to resources; inequality between men and women in the sharing of power and decision-making at all levels; insufficient mechanisms at all levels to promote the advancement of women; lack of respect for and inadequate promotion and protection of the human rights of women; stereotyping of women and inequality in women's access to and participation in all communication systems, especially in the media; gender inequalities in the management of natural resources and in the safeguarding of the environment; and persistent discrimination against and violation of the rights of the girl-child.

weak and under resourced national gender infrastructure as well as ineffective advocacy to improve the situation of women and girls in Swaziland.

Gender inequalities that exist in social, economic, cultural and political spheres lead to a systematic process of unequal development between the sexes. This unequal development has meant that women are not equal partners, and hence the development process has excluded a large sector of the population. This has created a lot of problems for this sector of the population one of which is poverty. For this reason gender disparities are some of the issues that have been included in the global agenda. These have been viewed as impeding women's self esteem and growth as individuals and more so as they impede development in general. The challenge here is to bring the position of women and men at par in order for our country to benefit from all the members of the society and for improved growth in the economy.

In view of the escalating and continued gender discrimination against women in terms of under-representation of women in decision-making positions across all sectors, gender based violence and minority status; limited opportunities in citizenship, business, education, health, employment and cultural benefits when compared with their male counterparts, urgent interventions are necessary to right the wrongs. This gender policy for LUSIP is aimed at addressing these gender disparities within the LUSIP and RFEDP's areas of operation.

3. RATIONALE

In Swazi society gender disparities exist and manifest themselves in all the spheres of life, whether, socially, politically, economically, legally, and otherwise and needs to be addressed through policy development. As stated in the national gender policy, "gender inequality is an impediment towards the attainment of sustainable national development. Reducing gender inequality is critical for improving access to wage employment and control over productive resources by vulnerable groups."(NGP, 2010)

The 2005 Constitution of the Kingdom of Swaziland has incorporated a bill of rights and guarantees gender equality in order to address discrimination against women. This is articulated in Section 20(1) which provides that, "all persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law. Section 20(2) further reads thus, "for the avoidance of any doubt, a person shall not be discriminated against on the grounds of gender, race, colour, ethnic origin, tribe, birth, creed or religion, or social or economic standing, political opinion, age or disability".

International human rights instruments also call for the outlaw of discrimination against women. Discrimination as defined by CEDAW which was ratified by Swaziland in 2004, refers to, “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, on human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

A number of sayings have indicated the importance of the equal involvement of all the members of the society and community. One of these sayings is, “the world of humanity has two wings, one is women and one is men. Not until both wings are equally developed can the bird fly. Should one wing remain weak flying is impossible”. This saying clearly indicates a need for equality in both individual and societal development. The LUSIP and RFEDP gender policy will be developed to address some of these socio-cultural, socio-economic and socio-political inequalities that have hindered agricultural development in the LUSIP and have perpetuated poverty particularly among women and children as well as other vulnerable populations.

4. METHODOLOGY

This exercise on operationalising the National Gender Policy adopted a number of participatory methodologies. The reason why different methodologies were adopted was because the consultant and team felt that the use of one methodology was not likely to respond to the intricacies of gender issues. Methodologies adopted to develop this gender policy included; a baseline study, consultative meetings and workshops.

4.1 BASELINE STUDY

A baseline study was conducted at the LUSIP to identify gender issues. As per the research guides that were administered by the consultant and research assistants, the respondents identified the following thematic issues as pertinent: The economic situation (poverty, economic empowerment (rural finance), the Socio-cultural situation (social practices, education, legal provisions, gender based violence and HIV and AIDS, the Socio-political Situation (power and decision-making) and the environment and natural resources. These issues were therefore used to inform design of the LUSIP and the RFEDP gender mainstreaming Policy.

The baseline study adopted participatory research methods of key informant interviews, focus group discussions, in-depth interviews and workshops. Focus group discussions (FDGs) were

held with the farmers' Associations (FAs) in the LUSIP. Groups of 12-15 discussants per group were organized with assistance from the gender officer and other officers from the Planning Unit. The FDGs provided general and specific information on gender issues within the LUSIP. The general information was on what obtains within the area, but more to that some discussants shared their own experiences on the identified issues.

In-depth interviews were held with certain individuals who were identified from the focus group discussions. Some of these individuals included those who are not participating in the project and had not ceded their fields, Another in-depth interviewee was a widow who was dispossessed of her rights of membership to an FA after the death of her husband. All the in-depth interviewees shared their gender related personal experiences

A workshop was held with SWADE department heads at the LUSIP who gave an insight into the gender and policy issues at the LUSIP. The participants identified a number of gender issues ranging from the socio-cultural, economic and political issues. These will be addressed in the development of the gender policy. A validation workshop was also held to discuss the objectives and strategies in the gender policy. Stakeholders from government and NGOs participated in the workshop and they made their inputs. The consultant incorporated the comments and discussed them with SWADE department heads, gender experts within LUSIP and RFEDP director and gender experts.

4.2 CONSULTATIVE MEETINGS

Consultative meetings were held with relevant stakeholders for the purpose of soliciting information on gender policy development and pertinent gender issues in the areas of operation of SWADE and RFEDP.

The LUSIP stakeholders included government (Ministry of Agriculture (MOA), Ministry of Commerce and Industry (MOCI), the Public Policy and Coordinating Unit (PPCU), Economic Planning and Development (EPD), Ministry of Natural Resources (MONR) and the Gender and Family Affairs Unit of the DPM's Office, the LUSIP department heads, the gender equality and development network at LUSIP), Rural Financiers (FINCORP, Swazi Bank, Imbita Finance Trust), the Trading House, Community leadership (chiefs, Inner Council, Bucopho, Indvuna Yenkhundla, MP.) and NGOs/CBOs operating in the area (ACAT, Save the Children, SWANEPHA, Lutsango LwakaNgwane, etc.) and Regional Administrators of Manzini and Lubombo regions. The RFEDP stakeholder included the Small Enterprise Development Company (SEDCO), IMBITA Finance Trust, Swaziland Women Economic Empowerment Trust (SWEET), the National Poverty Reduction strategy and Business

Women's Forum of Swaziland (BWFS) housed by the Federation of Swaziland Employers (FSE).

An invitation letter was sent to all the LUSIP stakeholders for interview, however, very few responded and FINCORP is one of the few that responded. For RFEDP, the process involved visits made by the consultant and RFEDP gender focal person. Interviews were made with the Deputy Governor of the Central Bank, a team of economists from the poverty reduction Unit, SEDCO, BWFS housed by FSE and IMBITA.

The stakeholders identified a number of problems faced by entrepreneurs in the rural sector, particularly, women. Most of the interviewed stakeholders pointed out that the rural business sector is neglected as no one wants to venture in that sector. One stakeholder indicated that most of the businesses in the rural sector were closing down because of lack of finances. The respondents argued that banks were located in the cities and towns and not in the rural areas, hence a need to travel from there to town which was not favorable to the rural folks. Most of the respondents welcomed the MTN mobile money which was viewed as technology to revolutionise the rural sector. The Marketing infrastructure was also identified as a problem that was faced by the rural sector.

A number of the interviewed stakeholders were of the view that the situation could still be improved if they focus on economic empowerment of women and men as well as the youth, the unbanked sector. The Deputy Governor of the Central Bank pointed out that SWEET is a responsive machinery to address the socio-economic development challenges faced by women, particularly in the rural areas. The vision of SWEET is to improve and uplift the lives of all Swazi women by creating wealth through their own efforts, irrespective of their background. She also indicated that there was a felt need to create an Apex body, SWEET, to facilitate, link, monitor and evaluate, and coordinate with existing women empowerment and poverty reduction initiatives in order to bring into the mainstream the unbanked grassroots rural communities. SEDCO was also said to be committed to the development and success of Swazi owned SMEs, provide business ideas, advice, access to money and premises for SMEs throughout the country. One of their newest products at a pilot stage is the "one household one product" initiative which seeks to encourage households to produce at least one product or service per year.

5. THE LUSIP AND THE RFEDP GENDER POLICY GOAL AND OBJECTIVES

5.1 POLICY GOAL

The overall goal of the policy is to guide gender mainstreaming across the project sectors in which SWADE and RFEDP operates. Some of these sectors include the Chiefdom Development Planning, Economic Empowerment, Life Sustenance and engineering and water management

5.2 POLICY OBJECTIVES

- To operationalize the National Gender Policy
- To promote gender sensitivity at SWADE and RFEDP by recognizing the potential particularly of women professionals and engender the recruitment and promotions policies and procedures.
- To redress the imbalances that arise from existing gender inequalities including traditional, cultural and social attitudes that hinder equal participation of both women and men in development and put women in subordinate positions.
- To promote and facilitate equal access to, control and benefit over productive resources, services and opportunities.
- To clarify and establish an institutional framework with the mandate to initiate, coordinate, implement, monitor and evaluate gender responsive development plans at the LUSIP and RFEDP.

5.3 GENERAL STRATEGIES

- Build capacity for SWADE and RFEDP on gender mainstreaming.
- Setting up of focal persons to promote gender equity and equality.
- Advocacy for resource allocation for gender mainstreaming.
- Mobilization for social transformation on gender issues within the LUSIP and the RFEDP

6. THEMATIC PROGRAMME AREAS

A baseline study on gender issues conducted within the LUSIP identified a number of gender issues around the thematic areas of; social practices, education and training, poverty and economic empowerment, access to and control over resources, gender-based violence, health, reproductive health and rights, HIV and AIDS, legal and human rights, politics and decision-making, environment and natural resources and information technology.

6.1 SOCIAL PRACTICES

Swaziland's culture and customs remain largely influential in the societal relationships. Patriarchal systems and other social cultural factors combine to influence the interactions between women and men resulting to gender inequalities. Interaction between females and males in Swaziland revolves around family. There is no doubt that the family, however it may be defined and in its various forms, is a fundamental unit of every society throughout the world. It is important in the establishment of family ties, and provides a network of mutual support among those who perceive themselves as 'family members'.

However, ours is a patriarchal family where males occupy dominant positions and women are subordinate to their male counterparts. In Swazi society women are minors even in adulthood as they are dependant on their male counterparts for resources and other means of life. Within a Swazi family, women and the girl-child are discriminated against. Women are not normally registered for commercial ventures such as sugar cane production, unless they are heads of households. Members of the farmers associations are required to nominate a successor in case of death. There is evidence that most men nominated their sons to take over as beneficiaries in the farmers associations. This was mainly because of son preference. Son preference is because of a belief that a boy child will take care of his parents in old age and also keep his family lineage. The girl-child was excluded from registering as a member in the schemes as she was viewed to be marriage bound to live with her in-laws and therefore not deserving to be registered or nominated. Most families in Swaziland and other parts of the world see the girl-child as deserving less from family resources and in most instances they are not allocated any property from family resources. It is only in exceptional cases that a girl-child can be allocated property at her natal home.

Customary provisions exclude women and the girl-child from accessing and controlling property such as land in their own right. Chiefs allocate land to married male members of the

community under the system of *kukhonta* (pay allegiance). This land is traditionally inherited from fathers to sons and mothers and daughters are not catered for. At the death of his father the first born boy child takes charge of the property as *inkhosana* (custodian) at the expense of his mother and sisters who cannot inherit from husband and father respectively under customary law. This has negative implications for women and the girl-child who may want to pursue agricultural skills because they would not access the means of production.

The above is contrary to the provisions of the ratified international instruments such as CEDAW where article 15(2) specifies that, “states Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all states of procedure in courts and tribunals” and the platform for Action for the Beijing Conference in 1995 where the girl-child was included as one of the critical areas for concern. The Constitution of the Kingdom of Swaziland also gives women and the girl-child the opportunity to access land in their own right as Section 211(2) of the constitution states, “a citizen of Swaziland, without regard to gender, shall have equal access to land for normal domestic purposes.” Section 34 of the Constitution also specifies that, “a surviving spouse is entitled to a reasonable provision out of the estate of the other spouse whether the other spouse died having made a valid will or not and whether the spouses were married by civil or customary rites.”

Although such progressive provisions are in place women and the girl-child are still discriminated against as communities where they live are not yet informed about such provisions. In the rural areas information flow is very slow and therefore dissemination of such information is still to reach them. Another concern is that most of the ratified international human rights instruments and the Constitution have not yet been domesticated and incorporated into the statutes.

6.1.1 THEMATIC POLICY STATEMENTS

SWADE and RFEDP policy statement is that they shall enhance and support efforts towards equal participation in, control and benefit from the development process by women, men, girls, boys and vulnerable groups in each homestead. This thematic policy statement is in line with that of the **National Gender Policy thematic statement on family and socialization** which states that, “the government shall create a conducive family environment for women and men, boys and girls to fully enjoy their human rights and develop their full potential/capabilities.”

6.1.2 THEMATIC OBJECTIVES

The National Gender Policy thematic objectives are “to ensure a conducive family environment for gender equity” and “to ensure that women and men, boys and girls fully enjoy their human rights and develop their full potential/capabilities.” **SWADE and RFEDP thematic objective** is to redress imbalances arising from traditional, cultural and social attitudes that hinder equal participation of men, women, boys, girls and vulnerable groups in development.

6.1.3 STRATEGIES

- Promoting the recognition and value of women’s multiple roles and responsibilities, as well as their contribution towards development.
- Encouraging the dissemination of gender related policies and programmes at family level.
- Mount advocacy campaigns towards allocation of resources such as direct access to commercial land for the girl-child.
- Promotion of positive socialization and parenting processes for gender equality within the family unit.
- Capture and promote gender sensitive traditional practices with a view to promoting them.

6.2 EDUCATION AND TRAINING

Education is a human right and an essential tool for achieving the goals of equality, development and peace. Non-discriminatory education benefits both girls and boys and this ultimately contributes to more equal relationships between women and men.

The Government of Swaziland policy on education is concerned with equal accessibility and availability of education to girls and boys, women and men, expansion of enrolment, enhancing the quality of education, addressing internal efficiency regarding low retention and high dropout rates, and enabling non-formal education for programmes for out of school youth and illiterate adults through the SEBENTA Programme.

Inasmuch as the law may give equal access to all children, there are other factors that affect girls taking advantage of this access. One of these is the cost of education as a result of which many families, if faced with financial constraints, will prefer to send boys to school instead of

their girl children as customarily a girl is regarded as a child who will ultimately leave the natal home and join her husband's family and thus the benefit of her education will be enjoyed by her in-laws.¹²

Another factor affecting the right of girl children to equal enjoyment of access to education is their potential to become pregnant while still at school. On discovering that a girl is pregnant many schools require that the girl leaves the school although there is no law or policy, which compels a girl child to leave school because of pregnancy. In many instances this puts an end to her education.¹³ In some instances she may be allowed to pursue her education at another school. Being admitted in another school following delivery can compromise her education in several ways, for example, having to cope with a new environment which might also include new subject combination, she might have to stay away from her parents if her new school is away from home. Solutions that will protect both the interests of the new born i.e. in terms of her/his entitlement to breastfeeding whilst not compromising the education of the teenage mother are necessary.

The boy child who impregnated the girl and who possibly attends the very same school does not suffer the same kind of punishment - he can continue schooling, acquire himself a tertiary education and eventually become a successful professional in his chosen area of study.

The attrition rate among girls is still very high due to a number of reasons including teenage pregnancy, early marriage of the girl child, and son preference when resources are strained and parents are forced to choose between keeping one child over the other in the education system. This is because socially it does not make economic sense to invest in a girl's education since she is expected to get married and relocate to her marital home. Loss of the opportunity by the girl child to attain higher education, receive formal training for acquisition of requisite competencies and development of a career, denies her the opportunity to break the cycle of poverty.

Training on gender issues was limited and most SWADE staff members had never attended training on gender. A few had been trained internally on gender mainstreaming but this did not necessarily give them the skills to do gender analysis before implementing their programmes.

¹² Whilst there is no statistics on the reasons for being out of school by children of school going age, the number of girls looking for jobs having dropped out of school being higher than boys is one of the indicators of their higher drop- out rate.

¹³ Ministry of Education

At field level training had been done on environmental issues and some human rights and HIV and AIDS. None of the interviewees had attended a fully-fledged training on gender. In order to address such short coming a gender equality training manual will be developed.

6.2.1 THEMATIC POLICY STATEMENTS:

The **LUSIP and the RFEDP** thematic policy statement is that **SWADE** and **RFEDP** shall facilitate a conducive environment for further education for acquisition of relevant competencies, skills, effective project implementation and management for career advancement and successful enterprise development for both women and men members of staff and project beneficiaries through both formal and informal education programmes and provide specialized training for their staff members on gender mainstreaming. The **National Gender Policy thematic statement:** is that “the government shall provide opportunities for quality education for all children, boys and girls to complete the education system and also ensure that men and women have equitable access to training opportunities

6.2.2 THEMATIC OBJECTIVES AND STRATEGIES:

The National Gender Policy thematic objective is “to provide education for all in line with the national constitution (S29) and Goal 2 of the MDGs and “to take integrated measures to prevent and eliminate practices which contribute to early dropout from schools especially for girls.” The **LUSIP** and the **RFEDP thematic objective** has five objectives on; 1) equal access and quality education to school age children, 2) drop-out rates, 3) training and recruitment, 4) access to formal and informal education and 5) curricula.

1. To lobby for the provision of equal access and quality education to all school age children

Strategies

- Encourage increased enrolment and retention of girls and boys at all levels
- Promote the provision of equal opportunities in educational institutions for girls and boys
- Encourage the bringing of schools closer to the communities
- Encourage provision of career talks in schools to encourage girls and boys to join non-traditional fields.
- Lobby for the establishment of SEBENTA (adult literacy programme) within the LUSIP

development area for dropout school age children.

- Advocate for the increased enrolment in science and technology training for girls.
2. To promote the reduction of dropout rates of girls and boys at all levels of education

Strategies

- Create awareness on the legal provision for the minimum age of marriage of 18 years according to the law.
 - Encourage increased retention of girls and boys at all levels.
 - Advocate for the creation of an environment that is conducive to allow more girls who drop out due to pregnancy to come back to school.
 - Encourage the increased establishment of special education facilities in primary and tertiary institutions to cater for girls and boys who are physically challenged and have disabilities.
 - Encourage improved school achievements and motivate students to stay in school.
3. To encourage equal training and recruitment opportunities to female and male employees

Strategies

- Advocate for equal opportunities for training for women and men
 - Advocate for affirmative action in recruitment and promotion to decision-making positions for women employees at the LUSIP and RFEDP.
4. To provide women and men access that is non-discriminatory to both formal and informal quality education, skills and competencies that they need to perform successfully in their day to day living.

Strategies:

- Conduct a skills audit among staff at SWADE and RFEDP and mount relevant training programmes for the benefit of both women and men.

- Evaluate impact of training programmes already provided to staff and communities to determine improvement of performance or lack thereof and provide opportunities for further advancement of knowledge, skills and competencies - paying particular attention to the needs of women.
5. To Lobby for review of curricula in agricultural, vocation and entrepreneurial training institutions, to make them gender responsive.

Strategies

- Lobby for gender mainstreaming in the agricultural, vocational and entrepreneurship curricula
- Encourage the introduction of gender and development courses in agricultural, vocational and entrepreneurial colleges.
- Encourage the development of sector specific gender training manuals for different target groups in the agricultural, vocational and entrepreneurial sectors.

6.3 POVERTY AND ECONOMIC EMPOWERMENT

“Poverty anywhere is a threat to prosperity everywhere.” Households with fewer financial assets have limited access to services and are therefore less able to cope with the necessary food and medical expenses to sustain healthy lives.”¹⁴ The eradication of poverty and the ending of hunger have long been recognized as among the most central challenges before human society. All along there has been a dominant view that poverty could be best addressed through raising the general economic standards, through the “trickle-down” effect of economic growth. With time it has become clear that poverty has many manifestations and it is impossible to describe the lives of the poor by means of a single indicator. With respect to women, poverty is more than physical deprivation but it has social and psychological effects, which prevent women from realizing their potentials, hence the need for the country to focus on economic empowerment of the poor people particularly women.

6.3.1 POVERTY AND GENDER

Poverty has been recognized as a key determining factor in unequal power relations between

14 UNDP, Gender Focused Responses to HIV/ AIDS in Swaziland, 2002

women and men. In Swaziland this is reflected by lack of access and control over productive resources such as land by women and discriminatory rights to property and inheritance. Poverty impacts negatively more on women than men because of the women's socio-economic status and also because women lack access to resources. The gendered nature of poverty is now widely known as the feminisation of poverty and it is based on the increasing evidence that women have a high incidence of poverty than men and that, women are increasingly becoming impoverished at a faster rate than males in Sub-Saharan Africa. The 1997 Human Development report showed that there was a link between gender inequality and overall human poverty. Women and children are frequently dispossessed of their property when a male head of the household dies and this is called property grabbing.

Therefore poverty reduction programmes should deal with issues of women's low status, lack of ownership and control over resources and marginalization. The gendered approach of human poverty by contrast makes it possible to look within the household at the ways in which resources such as food, education or health services as well as productive are distributed among family members and capabilities are provided or denied and through its structures. Poverty is increasingly seen as a violation of human rights.

The window of hope out of poverty for women in the rural sector is the opportunity to excel in various social and economic enterprises if they receive the necessary support. More than 70% of the women reside in the rural sector and therefore, it is imperative that most of the people involved with such enterprises are women. The Women's Convention¹⁵ (CEDAW) and the Beijing Platform for Action¹⁶ state that, Women and other vulnerable groups in the rural areas

15 States Parties shall: 1) Take into account the particular problems faced by rural women and the significant roles which women play in the economic survival of their families, including their work in the non-monetised sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas, 2. Take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

a) To participate in the elaboration and implementation of development planning at all levels
b) To have access to adequate health care facilities, including information, counselling and services in family planning, c) To benefit directly from social security programmes, d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency, e) To organise self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment, f) To participate in all community activities, g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian-reform as well as in land resettlement schemes and h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

¹⁶ The Beijing Declaration and Platform for Action calls on governments, the international community and civil society, including non-governmental organizations and the private sector, to take action in the following areas: the persistent and increasing burden of poverty on women; inequalities and inadequacies in, and unequal access to, education and training; inequalities and inadequacies in, and unequal access to health care and related services; violence against women; the effects of armed or other kinds of conflict

need specific attention and that they should be provided with finances to engage in various enterprises including agro-processing.

The empowerment of the LUSIP communities in business needs to focus within the SME sector as it is a growing sector in the country and is expected to be the main driver in job creation in the coming years. This sector remains very attractive to government since it houses a large number of indigenous Swazi entrepreneurs.¹⁷ In 2003, there were 70 000 SMEs employing about 140, 000 people, with 44% owned by females and about 93% owned by Swazi nationals. 82% of the SMEs in Swaziland are rural based. According to the studies conducted on SMEs, this sector holds the key to employment generation as it employs 60% of the total employment. Eighty-three percent of the workers are employed by the micro enterprises signalling the importance of creating an enabling environment for the growth of the micro-enterprises. However, the majority of people face constraints including access to land, credit, information, inefficient marketing and storage, and transportation facilities which hinder their effective participation. The situation of women is exacerbated by lack of business management skills, business information, high illiteracy, cultural attitudes and practices.

6.3.2 ECONOMIC EMPOWERMENT

Gender issues loom large in the current policy debate, cutting across discussion of customary and formal tenure systems, both of which have marginalized women's rights. Gender equality in land rights will, moreover, involve wider changes in socio-cultural attitudes, and strengthening of women's rights under the constitution, family and inheritance law. Women tend to have subordinate roles in relation to land in both customary and statutory systems. Under the former, land usually belongs to and is managed by a patrilineal group, so that women are always secondary users, whether as daughters, sisters, wives or mothers. Their rights of access are highly dependent on the social ties which link them to those with primary rights over land. Hence, for example, on divorce or widowhood, women may be forced to leave their land behind and move away.

Even within modern systems, women have lesser rights to those of men, and/or have their

on women, including those living under foreign occupation; inequality in economic structures and policies, in all forms of productive activities and access to resources; inequality between men and women in the sharing of power and decision-making at all levels; insufficient mechanisms at all levels to promote the advancement of women; lack of respect for and inadequate promotion and protection of the human rights of women; stereotyping of women and inequality in women's access to and participation in all communication systems, especially in the media; gender inequalities in the management of natural resources and in the safeguarding of the environment; and persistent discrimination against and violation of the rights of the girl-child.

¹⁷ MEE, National SME Survey 2003.

rights subsumed into the broader household, the head of which is usually assumed to be male. For instance, in all the marriage regimes in Swaziland the husband has the marital power unless the couple opts out of it and this is only possible if the marriage is out of community of property. The marital power precludes a woman from owning and even controlling property because the husband becomes the sole administrator of the estate. He is the one who registers the property including the property that has been accumulated by the wife even prior to marriage. Also, Women who are married in community of property cannot register title because the Deeds Registry Act No. 37/1938 precludes them from doing so. Section 16 of the Deeds Registry Act specifies that, “immovable property bonds, or other real rights shall not be transferred or ceded to, or registered in the name of a woman married in community of property, save where such property, bonds or real rights are by law or by condition excluded from the community.”

However, conditions are changing as women are beginning to enjoy some rights because of activism on women’s rights in Swaziland, SADC and the international community. In Swaziland the Constitution of the Kingdom of Swaziland (2005) addresses some of the above issues in section 211(2)¹⁸, Section 19 (1)¹⁹, Section 20 (1)²⁰ and (3)²¹, Section 28²² and Section

¹⁸ “a citizen of Swaziland, without regard to gender, shall have equal access to land for normal domestic purposes.”

¹⁹ A person has a right to own property either alone or in association with others”

²⁰All persons are equal before and under the law

²¹ For the purpose of this section ‘discriminate’ means to give different treatment to different persons attributable only or mainly to their respective descriptions by gender race, colour, ethnic origin, birth, tribe, creed or religion, or social or economic standing, political opinion, age or disability”

²² Section 1 “Women have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities”

Section 2, “ subject to availability of resources, the Government shall provide facilities and opportunities necessary to enhance the welfare of women to enable them to realize their full potential and advancement”

Section 3, “ a woman shall not be compelled to undergo or uphold any custom to which she is in conscience opposed”

34²³. Once the constitution is implemented in Swaziland women will begin to achieve firmer rights and recognition of their major contribution to household incomes and livelihoods. Access to adequate food and nutrition also poses problems in the rural and peri-urban areas of Swaziland. Food insecurity basically means the increase in food aid and a decrease in frequency of meals, sometimes from three meals per day to one meal per day. In worst case scenario women might skip a day without a meal. Another factor is that food distribution among households in Swaziland shows varying degrees of gender discrimination. There is evidence that although women produce most of the food, they are more likely to be malnourished than men. In terms of nutrition women are worse off nutritionally than men. Traditionally, a wife in Swaziland is expected to feed the husband first because her ability to feed him well is seen as a reflection of her worth. In most instances where protein is scarce, the husband gets a lion's share and the children are fed next and the wife is fed last. Most families still perceive men as more valuable for the family's well being. The food security policy addresses gender issues in its policy document.²⁴

Another issue for empowerment of women and men in the rural sector is that of access to credit. Women in rural areas face challenges in relation to access to credit in order to increase production in their households and communities at large. The major challenges to efforts at improving women's access to cash credit include: high transaction costs as many women still have to travel many miles and so many times to banks and other Micro finance institutions (MFIs) before their loans are approved and disbursed. Another problem has to do with unreliable and small marketing avenues. Loans are given without enough research into marketing avenues and this result in high default rates as most women can hardly find appropriate prices and markets for their goods. Some women who borrow money find that they cannot cope on their own because of failure by finance institutions and/or NGOs who do not provide sufficient sensitization and training for male relatives of women who are targeted

²³ "a surviving spouse is entitled to a reasonable provision out of the estate of the other spouse whether the other spouse died having made a valid will or not and whether the spouses were married by civil or customary rites."

²⁴ By indicating that, "it is National Policy to improve the impact of gender on food availability by special programmes. Strategies include: (a) Support and implement commitments made at the Fourth World Conference on Women, Beijing 1995, that a gender perspective is mainstreamed in all policies. (b) Promote women's full and equal participation in the economy, and for this purpose introduce and enforce gender-sensitive legislation providing women with secure and equal access to and control over productive resources including credit, land and water including irrigation and appropriate credit services and that job creation opportunities are focused on those most in need.

with loans. This results in women being saddled with so many other family responsibilities whilst the burden of the repayment is only on them.

Studies have indicated the difficulty of financing rural development projects and enterprises in a bid to alleviate poverty mainly because the rural sector is host to the most vulnerable and marginalized groups such as, HIV and AIDS affected households, orphans, child-headed households and subsistence producers Boros, etal, for example pointed out that experience demonstrates that the most effective and efficient microfinance programmes for low-income people must be highly personalized, explicitly taking into account the needs of such clients ("Client first" approach to microfinance). Lessons learnt from IFAD and other programmes indicate that a gender sensitive approach is necessary in order to understand the dynamics of rural financing.

The RFEDP has a credit component, targeting women for their micro-enterprises and income generating activities. Because of collateral requirements, banks can minimize their risks when they lend out small amounts to women. In order to achieve their targets of reaching rural women it is advisable for rural financiers to use NGOs to provide the training and supervision. Using this strategy has helped some rural financiers to reach more women as well as improve sustainability. Group lending rather than lending to individuals has also helped to deepen the reach of the credit to women.

6.3.3 THEMATIC POLICY STATEMENTS:

The LUSIP and the RFEDP thematic policy statement is that, **SWADE** and **RFEDP** shall create conducive environment to enable women, men, girls and boys and vulnerable groups to participate and benefit equitably from all development initiatives. **The National gender Policy thematic Policy statement** is that, “the government shall take measures to reduce the incidence of poverty amongst the poor particularly among women and girls.

6.3.4 THEMATIC OBJECTIVES AND STRATEGIES:

The National Gender Policy thematic objective is “to ensure that women and girls have equitable opportunities, and access to, and control over productive and reproductive resources including credit, land, information and services. **The LUSIP and the RFEDP** has eight thematic objectives on, 1) equal opportunities and benefits, 2) start up and growth of SMEs, 3) gender disparities in access to credit and markets, 4) labour and time technologies, 5) access to

services 6) self-reliance,(7) access to and control of land and (8) availability and access to credit and nutrition

1. To advocate for the creation of a favorable environment for equal opportunities and benefits for women, men and youth at the LUSIP and other areas of operation for SWADE and RFEDP.

Strategies

- Encourage the review of conditions of service and ensure that they are gender responsive.
 - Lobby for women to constitute at least 30%²⁵ of decision and policy making positions at the LUSIP and RFEDP areas of operation.
 - Advocate for the formulation of gender responsive policies, rules and regulations in recruitment and promotions.
 - Encourage equal employment opportunities for the youth.
2. To promote the creation of an enabling environment for the start-up and growth of micro small and medium enterprises (SMEs)

Strategies

- Lobby for the implementation of the gender provisions in the SME policy.
 - Promote linkage and networking between the large scale industries and SMEs
 - Promote dissemination and provision of trade and investment information and backstopping services to women and men entrepreneurs in their areas of operation
 - Encourage the improvement of communication infrastructure at the LUSIP and other areas of operation.
3. To advocate for the elimination of gender disparities in access to and control over credit and markets

²⁵ This is stipulated in the National Constitution of the Kingdom of Swaziland adopted in 2005.

Strategies

- Advocate for engendering of existing formal and non-formal lending, business management, and marketing institutions.
 - Sensitize communities to recognize that women, men, girls and boys can be successful entrepreneurs
 - Encourage the review of laws that impede equal participation of women and men in business.
 - Advocate for the strengthening and provision of credit guarantee funds to SMEs for both women and men.
4. To promote the identification, development, acquisition and utilisation of value added labor and time technologies for the benefit of women and men.

Strategies

- Encourage gender responsive research to identify and integrate gender needs in SMEs for planning purposes and participation of women and men.
 - Encourage the dissemination of existing labor saving technologies.
 - Promote identification of existing and development of new value adding technologies for SMEs.
5. To advocate for provision of equal access for women, men, boys and girls to services aimed at disadvantaged groups

Strategies

- Promote engendering of GOS, NGOs and other sectors in providing services to disadvantaged groups.
- Encourage the establishment of community-based projects to assist disadvantaged groups.
- Encourage the development of gender responsive guidelines for care of orphans
- Promote the provision of youth skills training and counseling centres

6. To promote self-reliance of women, men and the youth.

Strategies

- Encourage the development and distribution of gender responsive guidelines for the formation of community-based development committees
- Promote the training of leaders particularly at grassroots level on gender issues that hinder local development.
- Promote and advocate for gender equality in the planning, implementation, monitoring and evaluation of community development programmes.
- Encourage sensitization campaigns at all levels to address gender issues at the LUSIP and other areas of operation

7. To lobby for increased access to and control of land by women, men girls and boys.

Strategies

- Lobby chiefs to allocate land to all community members, women and men and girls and boys.
- Lobby for the adoption and implementation of the National Land Policy
- Lobby for the implementation of the National Food Security Policy
- Lobby chiefs for increased access to and control of land by women through the *khonta* system

8. To advocate for increased availability of, access to and control of credit and nutrition security by disadvantaged farmers particularly women

Strategies

- Promote an enabling government finance policy to engender the operations of credit institutions.

- Advocate for increased availability of, access to and control of credit by disadvantaged farmers particularly women.
- Lobby for favorable credit conditions for disadvantaged farmers.
- Advocate for increased campaign services to encourage women farmers to access credit.
- Sensitise both women and men on their roles and responsibilities over credit and its benefit to the households.
- Encourage the provision of more training opportunities to women and men in credit management.
- Promote monitoring of access, use, management and control over credit by women and men.
- Encourage equal access to meals and meal frequency at household level
- Advocate and encourage crop and livestock diversification as a means of increasing the food base.

6.5 GENDER-BASED VIOLENCE (GBV)

GBV refers to all acts perpetrated against women, men, girls and boys on the basis of their sex which cause or could cause them physical, sexual, psychological, emotional, economic harm, including the threat to take such acts, or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms private or public life in peace time and during situations of armed or other forms of conflict.

GBV is a major problem in Swaziland affecting more women than men. Hardly a day passes in Swaziland without the media reporting a gross act of Gender based violence perpetrated against women and girls. Forms of domestic and GBV cases reported include physical assault sometimes resulting to death, murder, emotional and psychological abuse, verbal abuse and various forms of battery.²⁶ Some cultural practices such as wife inheritance forced marriages,

²⁶ Government of Swaziland 2007

early marriages and intergenerational sex compound the increasing incidence of GBV.²⁷

Property grabbing from widows and surviving children have also been reported to NGOs and the police. This usually happens after the death of a male household head. Male relatives usually dispossess the widow of her husband's property on the grounds that they and not the widow are the ones to inherit from their brother. The deceased sisters and aunties are usually ring leaders for this practice.

Although men are usually the perpetrators of gender based violence, some women are known to be perpetrators. Abused men are not likely to report abuse because they get embarrassed doing so as they are expected to be strong and on top of things. They also fear publicity and do not visit public structures that are effective in dealing with such issues. Organisations such as the Swaziland Action Group Against Abuse (SWAGAA) used to be shunned by men because they were viewed as women's organizations established to fight men. However, this perception has now changed tremendously as some men have started to frequent such organizations for assistance when abused by their spouses.

From various studies which have been conducted worldwide and in Swaziland it has become apparent that there is a linkage between HIV and AIDS and gender based violence. Studies conducted in Swaziland have also found this linkage (WLSA, 2008, PHR 2007). These studies show an increased risk of HIV and AIDS among women survivors of gender based violence. Sexual violence for instance which is on the increase in Swaziland according to police reports, has the most direct linkage to HIV and AIDS as victims/survivors of sexual violence are highly likely to be infected with HIV due to the nature of sexual violence where there is usually excessive use of force by a man against the woman.

High incidences of sexual harassment have been reported in schools and workplaces where women and the girl-child have been the victims. A few men and boy children have reported such incidences from their female teachers and female bosses at the workplace respectively. NGOs have been called to offer counseling to the victims of sexual harassment as there is no specific law as yet that deals with such violations.

Mechanisms to address gender based violence particularly for women and the girl child including people with special needs have remained inadequate and ineffective. In addition the other problem is the reluctance of women and girls to report cases of gender based violence.

²⁷ Complementary Country Analysis, the Kingdom of Swaziland, United Nations, 2010

This is partly due to the social stigma attached to the phenomenon, and the weak, slow criminal justice system. The Sexual Offences and Domestic Violence Bill attempts to address issues of gender based violence including sexual harassment²⁸.

6.5.1 THEMATIC POLICY STATEMENTS:

The **LUSIP** and the **RFEDP thematic policy statement** is that, **SWADE and RFEDP** shall create an environment within the LUSIP and other areas of operation where women, men, girls and boys as well as other disadvantaged groups are sensitised on the different forms of gender based violence and the available structures where they can report as well as creating capacity of the local structures that deal with GBV. The **National Gender Policy Thematic statement** is that, “the Government will create an environment where women, men and children are protected from all forms of violence and provide effective mechanisms for redress as well as providing support including legal aid services to survivors of violence.

6.5.2 THEMATIC OBJECTIVE AND STRATEGIES:

The **National Gender Policy Thematic objective** is, “to take integrated measures to prevent and to eliminate all forms of gender-based violence.”The **LUSIP** and the **RFEDP Policy Objectives** are to ensure that communities are aware of GBV and strategies to combat it.

Strategies

- Promote research to establish gender imbalances, the level and nature of gender based violence.
- Disseminate information and sensitise communities on the different types of gender based violence
- Conduct awareness campaigns on HIV and AIDS and GBV and the linkage between the two.
- Strengthen referral systems in order to provide adequate support for survivors of gender based violence.
- Encourage setting up of counseling centres by NGOs within the LUSIP area and other

²⁸ ‘harassment’ is defined as engaging in a pattern of conduct that induces the fear of harm to a complainant

areas of operation.

- Lobby sectors including the health sector for the provision of mobile health services and improvement of health facilities in order to be able to treat victims of GBV.
- Lobby for creation of an enabling environment for school children and employees in the LUSIP and RFEDP to report sexual, verbal abuse and harassment at school and the workplace.

6.6 HEALTH, REPRODUCTIVE HEALTH AND RIGHTS, HIV AND AIDS

“A healthy nation is a happy nation.” Therefore, provision and improvement of health services and care is essential for the development of any country. This includes medical care and treatment to address the whole well-being of the person, physical, spiritual, psychological and material. The country’s health system is comprised of modern health centres and traditional healers, with much of the rural people relying on the traditional healers. Women living in rural and peri-urban areas have difficulties in getting to the nearest health centres and hospitals because they have to incur transport costs, which they are unable to afford or mobilise. Mobile clinics and Rural Health Motivators are provided in order to assist rural communities with some of the health problems mentioned above. Rural Health Motivators educate local communities about HIV, condom use, sanitation, breastfeeding and general disease management.

In most instances government hospitals and clinics have short supply of drugs and patients are forced to buy medication from pharmacies which normally charge exorbitant prices. Although ARVs are distributed free in Swaziland, women face challenges when they are told to buy medication from pharmaceutical outlets because hospitals have run out of supplies. The price of medication from pharmacies is high for rural women who have little or no money. In that way they fail to access medication even if they were able to mobilise money to go to the health centres. This situation is compounded by the fact that in rural areas’ health centres doctors are sometimes not available to attend to them.

Some health practitioners discriminate against certain patients such as LGBTIs, particularly lesbians because of their sexual orientation. They may deny them treatment or access to specialised services and equipment. Such discriminatory health practices may prevent people from accessing health services. Some traditional health practices are harmful to women, for example. If babies die at birth the mother is said to have *imfelwa* on her genitals and she could be operated on by a traditional healer to remove it (genital female mutilation). She may bleed

to death in the process.

With respect to sexual reproductive health and rights, women face a number of challenges. The gender relations that exist between women and men are characterised by the prevalence among women of poverty and economic dependence, negative attitudes and discrimination against them in socio-economic and political spheres have adverse effects on their capacity as health caregivers and on their lives. Cultural activities and customs (kwendzisa) which force girls into early marriages and early sexual experience, together with lack of information and services increase the risk of unwanted teenage pregnancies, unsafe abortions, HIV and AIDS and sexually transmitted infections.

The HIV pandemic presents one of the most serious challenges to development in Swaziland. It is fuelled by the unequal power relations between women and men. The gendered nature of HIV and AIDS is now widely known as feminization of AIDS. The concept of feminization of HIV and AIDS may also mean two things; that women have a higher percentage of HIV and AIDS than men and that women's HIV sero-positivity is more severe on average than that of HIV positive men. Women and the girl-child are care-givers. This is a role that is ascribed to women

In Swazi society women have to wake up early in the morning and visit sick members to take care of their needs such as taking medication, cleaning, making up their beds as well as feeding them their breakfast. However, despite the high expectation on women, they are not empowered with the necessary resources with which to fulfill these expectations.

Where the woman head of the household is unable to access land and benefit herself and her dependants, this results in a desperation that may lead to either involuntary attachment to a man in order to access the land²⁹ or to the engaging in alternative but dangerous forms of earning the necessary money to maintain her dependents. This situation places women in the tenuous position where they are forced to submit themselves to men and be dependent on them in order to gain some basic benefits. This dependency often forces them to submit to sexual conduct that they know is unsafe. With reported high levels of teen age pregnancy that occurs in the communities, common practice of polygyny and men showing off their sexual prowess by having multiple sexual partners, it is clear that women and girls will be more vulnerable to HIV and AIDS.

²⁹ WLSA Swaziland, Family in Transition: The Experience of Swaziland, 1998

6.6.1 THEMATIC POLICY STATEMENTS:

The **LUSIP and the RFEDP thematic policy statement** is that, SWADE and RFEDP shall take measures that will ensure improvement of the health status as well as protect the sexual and reproductive rights of both the communities they serve as well as that of their staff. The **National Gender Policy Thematic Policy Statement** is that, “the government will promote the availability and accessibility of quality and functional health services and facilities for women, men, adolescents, children and persons with disabilities at all levels”.

6.6.2 THEMATIC OBJECTIVES AND STRATEGIES:

The **National Gender Policy thematic objective** is “To take measures that will promote, improve and protect the sexual and reproductive health rights as well as the health status of men, women, boys and girls throughout their life cycle.”The **LUSIP and the RFEDP** has four thematic objectives of, 1) access to reproductive health services, 2) integrated services, 3) protection and care for women and 4) discriminatory and harmful health practices.

1. To advocate for equal access to reproductive health and other health education programmes by women and men, girls and boys

Strategies:

- Mobilise for support from other development agencies within the health sector and the Ministry of Health to mount campaigns on gender and health, challenging communities to identify and devise their own home grown strategies to eliminate those practices that accelerate the spread of sexually transmitted diseases, HIV and AIDS, TB etc.
 - Enhance those awareness raising strategies on reproductive health and rights, prevention of teenage pregnancy, gender and HIV and AIDS targeting women, men, youth and people with disabilities.
 - Encourage the provision of improved access by female and male adolescents to friendly and confidential reproductive and general health services.
2. To advocate for the development of specific integrated programmes on information, education and communication, counseling in family education and reproductive health and rights.

Strategies

- Encourage intensified information, education and communication (IEC) services on reproductive health at community level
 - Promote counseling on adolescent health, HIV and AIDS and family planning
 - Promote education for youths on responsible parenthood.
3. To empower women and men to protect and care for themselves, particularly in relation to maternal and infant mortality, HIV and AIDS and other infectious diseases.

Strategies

- Encourage the training of women and men, girls and boys on negotiation skills
 - Encourage the availability and use of condoms including the female condom.
4. To lobby for the elimination of all forms of discriminatory³⁰ and harmful³¹ health practices

Strategies

- Encourage gender research to establish the magnitude of discriminatory and harmful health practices
- Promote social mobilization campaigns against discriminatory health practices
- Promote cooperation and understanding between traditional healers and modern doctors in their areas of operation.

6.7 LEGAL AND HUMAN RIGHTS

In Swaziland there is a plurality of laws (legal pluralism) that govern behavior, and this is the case in the LUSIP. Legal pluralism is a branch of feminist jurisprudence, and it recognizes that in most of the African societies there is more than one law that regulates behaviour. It refers to

³⁰ Discriminatory health practices may include denial of family planning services to school-going girls. Sometimes medical care is not accessible to LGBTIs because of their sexual orientation.

³¹ Harmful health practices may include female genital mutilation.

other rule upholding and rule generating entities than the judiciary and legislature. These other rule-generating forces are defined by Sally Falkmore as semi-autonomous social fields. In the LUSIP, legal pluralism is represented by the parallel but unmediated existence of Roman-Dutch Law on the one hand and Swazi Law and Custom on the other. It further recognizes that the formulation of the law and dispensation is not only by the state but is subject to other institutions like the church, family, traditional, etc.

Legal pluralism creates escape routes for men to violate women's rights; more so because Customary Law is perceived to be superior to received law yet some of the customary law is not documented. This provides a refuge for the civil law fugitives. Adherence to these laws in some instances interferes with some of the rights of women and girls putting them in a very vulnerable position. It is therefore vital to understand that in our legal system cultural norms, beliefs and practices also shape our behaviour.

Studies conducted by legal experts in Swaziland indicated that both the Roman Dutch Law and the Swazi Law and Custom are discriminatory towards women (WLSA). Under the Roman-Dutch Common Law for instance, women who are married in community of property are considered as minors. For women, this effectively means, as minors they cannot enter into legally binding contracts without their husband's consent. Similarly, they cannot approach banks for a loan and cannot start businesses on their own. Likewise, women cannot register title on title deed land because of the provisions in the Deeds Registry Act that clearly prohibits women from acting on their own.

Swazi Law and Custom also (customary law) regards married women as perpetual minors and places them under the guardianship of men. As minors, married women have no direct rights to inheritance, custody and guardianship of their children as well as land rights. Customarily, the oldest son in the family becomes in charge of his father's estate and holds it in trust for the family. As access to land follows the male lineage and membership to a certain clan based on blood relationship. This strong emphasis on family association based on blood relationship makes a wife an outsider as her tie to the clan is based on marriage.

Customary law is not codified and there are different interpretations of the law in different parts of the country. The question of which customary law is paramount becomes difficult since customary law is dynamic and changes over time with all the social, economic and political movements that are taking place. Succession according to customary law is patrilineal, even if the deceased had no sons, one will always have to be identified among other family members no matter how distant the relationship. A widow and her daughters

cannot inherit under customary law unless the winding of the estate is done by the Master of the High Court who has now been given authority to administer such estates.

In order to address some of these inequalities in the laws of the country, The Constitution of the Kingdom of Swaziland (2005) incorporated a Bill of Rights. Section 20(1) provides that, all persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law. Section 20(2) further reads thus, “for the avoidance of any doubt, a person shall not be discriminated against on the grounds of gender, race, colour, ethnic origin, tribe, birth, creed or religion, or social or economic standing, political opinion, age or disability”.

International Human Rights Instruments that Swaziland has ratified also address some of the inequalities between women and men in our legal system. The Beijing Platform for Action and CEDAW addresses such inequalities. However, domestication or incorporation of these into domestic law is still lagging behind and hence denies Swazi people the protection that comes with them.

People’s human rights understanding in Swaziland are usually more obscure at the lowest level (community) and clearer at the highest level (national). It is common to find that for most people equality means that women should do work that was traditionally done by men in order to show that they were equal to men. Women are usually expected to clear the bushes and carry 50kg cement, just like men. However, men are usually not willing to assist women with household chores claiming that they do not have the skills to carry out these chores. This calls for sensitisation of communities on human rights instruments such as CEDAW, CRC, etc.

6.7.1 THEMATIC POLICY STATEMENTS:

The LUSIP and the RFEDP thematic policy statement on one hand is that SWADE and RFEDP shall create a conducive environment within their respective areas of operation for recognition, promotion and respect for legal and human rights. **The National Gender Policy thematic policy statement** on the other hand is that the government shall ensure that all legislation in relation to the recognition, promotion and protection of legal and human rights complies with the principles of the constitutional and gender justice.

6.7.2 THEMATIC OBJECTIVES AND STRATEGIES:

The National Gender Policy Thematic objective is, “to ensure that the constitution is

translated into gender responsive legislation where necessary”. The LUSIP and the RFEDP thematic objective is to lobby the government and other relevant structures, for example, the CRC and the Human Rights Commission (HRC) for creation of a conducive policy and legal environment for women and men to enjoy their human and legal rights.

Strategies

- Advocate for translation and simplification of the constitution and other ratified human right instruments such as CEDAW into gender responsive legislation where necessary.
- Encourage the provision of legal education on human rights to women, men, girls and boys
- Advocate for the review of all oppressive laws within the LUSIP and other areas of operation so that they are in harmony with the National Constitution, International Conventions and Declarations.
- Sensitise the population in the LUSIP and other areas of operation on the National Constitution, Conventions and Declarations.
- Encourage the review of the roles of organizations promoting human rights and legal education particularly women’s rights.
- Facilitate for the provision of legal and human rights literacy
- SWADE and RFEDP ensure that their organisational policies adhere to the National Constitution, National Gender Policy, regional and international laws, Conventions and Declarations.

6.8 POLITICS AND DECISION-MAKING

In Swaziland women are under-represented in all power and decision making positions. In the 2008 elections and others before this, women constituted over half of the voting population in Swaziland. This ultimately means that they have very little say in the formulation of public policy and setting of priorities that can change their situation. Their limited participation is associated with social perceptions and inhibitions that authority is the natural preserve of men. Other contributing factors are disability and uneven education levels between women and men and the persistent differentiations in the fields of training and occupations, the lower economic status of women as well as the uneven distribution of roles and responsibilities. The

representation of women in Parliament is low but increasing, from 8% to 20% between 1998 and 2008. In the traditional set-up the legislative governance structure, the institution of Chiefs, *Tinkhundla* and *Bandlancane* (Chiefs inner council and executive) predominates. Presently there is very low representation from women. In the National boards there are more men than women. Also, women representatives in such boards are sometimes not given opportunity to say their views at meetings.

Although nowadays there are women in various positions of power or decision-making—albeit in insignificant numbers—these seem to have been more of an ad-hoc rather than a systematic development. Furthermore, the fewness of their numbers in those positions diminishes their true value or value of their contribution and hence the impact they could make for the betterment of their lot and the citizenry in general. Tradition and the different forms of socialisation (cultural, religious, family roles, responsibilities or expectations) may inadvertently further discriminate, marginalise and compromise women’s effectiveness once in these positions such that they are not taken seriously by their male counterparts or colleagues.

Power to make decisions at all levels is vested in males as women are minors even in adulthood. At the family level males make decisions in the homes including in matters that affect women’s lives, for example procreation. It is common to hear that a married woman is pressurised by her in-laws to bless them with a child even in instances where she is not ready to start procreation. In a study by WLSA in 2008, women who were HIV positive were forced to declare their HIV status to their in-laws when they refused to succumb to the pressure to start procreating. At the community level, males make decisions as they decide time and place of burial of the dead.

While the recently launched Decentralisation Policy and the Constitution makes provision for the inclusion of women, there is no rationalized plan or strategy, targets and indicators or resources for operationalizing the ‘vision and/or desirable situation’. A similar situation obtains within the modern structures of governance and decision-making.

6.8.1 THEMATIC POLICY STATEMENTS:

The LUSIP and RFEDP Thematic Policy Statement: is that SWADE and RFEDP commit to ensuring elimination of inequalities between women and men in the sharing of power and decision making within the LUSIP and other areas of operation The **National Gender Policy thematic Statement** on the other hand is that the Government shall ensure a fair representation and participation of men and women in all decision – making positions and

structures and ensure the provision of increased capacity for leadership particularly for women.

6.8.2 THEMATIC OBJECTIVES AND STRATEGIES:

The thematic objective for the National Gender Policy is “to increase women’s participation in power structures and decision-making positions at different levels of governance. And the **LUSIP and the RFEDP thematic objective** is to ensure equal representation and meaningful participation of women in decision making positions, processes and structures within the LUSIP and other areas of operation.

Strategies

- Sensitize both SWADE and RFEDP staff members at all levels on gender equality issues.
- Review SWADE and RFEDP leadership structures to identify gaps in the representation of women, develop and implement a rationalized plan and strategy, set targets, indicators, time frames and allocate the requisite budget to ensure gender balance at all levels.
- Facilitate review of community leadership structures within LUSIP and other areas of operation to identify gaps in the representation of women, develop and implement a rationalised plan and strategy, set targets, indicators, time frames and allocate the requisite budget to ensure gender balance at all levels.
- Capacitate women and youth leaders with requisite knowledge and skills to give them a head start and ensure their success in leadership positions.
- Sensitize women to support and promote fellow women in decision-making positions at all levels
- Encourage women to take an active part in decision-making at all levels
- Promote the provision of information and management training to enable women participation in decision making process.
- Allocate women the 30% quota in decision-making positions at all levels as per the provisions of the Swaziland Constitution.
- Promote understanding among men, women, boys and girls on their roles and

responsibilities as citizens.

- Provide support systems for women and youth at all decision-making levels.
- Set up mentorship programmes to support women decision makers at all levels.

6.9 ENVIRONMENT AND NATURAL RESOURCES

It is important to point out that in Swaziland the rural communities which make up much of the land are habitat to 80% of the population who are mostly women, are too poor to make environmental issues their priority, less informed about current trends, issues or concerns about the environment and not represented in its mainstream decision-making and management structures to be effective custodians. Secondly whilst the industrial and manufacturing sectors bring in opportunities for the employment of the poor, most of whom are women, they too must be given knowledge and skills on the proper management of their effluent and waste as well as on issues of environmental health. Currently the situation with respect to these points is wanting and the population and the environment are therefore at risk. In addition the lack of pertinent data on the state of affairs on this issue is disturbing.

Protection of the environment and natural resources is prime concern to the Government of Swaziland. Consequently in Section 210 of the Constitution of the Kingdom of Swaziland (2005) Government clearly states that land, minerals and water are national resources and in sub-section 2 commits itself to protect and make rational use of its land, mineral and water resources as well as its flora and shall take appropriate measures to conserve and improve the environment.

The gender concerns in environmental issues are usually given less priority when the reverse should be true in development. The state of the environment affects women more than men because women are responsible for food preparation which places a lot of demand on the environment in terms of wood for cooking and land for producing food crops. In this regard, in addition to making Constitutional provisions for protection and care for the environment, the Government has taken a leading role in mainstreaming and addressing environmental concerns and issues by formulating the Environment Policy and other relevant policy instruments, establishing the organs and instruments as well as appointment of key Ministries that will be responsible for its enforcement and regulation. However, despite all these measures, environmental degradation continues unabated due to poverty and lack of knowledge. .

6.9.1 THEMATIC POLICY STATEMENTS:

The **LUSIP** and the **RFEDP Thematic Policy Statement** is that: “**SWADE and RFEDP shall ensure** that they encourage Government development agencies to ensure that gender issues are mainstreamed and taken into consideration in the design of programmes and implementation plans and activities.” The **National Gender Policy thematic statement** on the other hand is that “the Government shall ensure that environmental policies, programmes and action plans take into consideration issues of gender in terms of access, control, benefits as well as management of the natural resources.

6.9.2 THEMATIC OBJECTIVES AND STRATEGIES:

The **thematic objectives for the National Gender Policy** are “to review and reform all legislation that hinders equitable access, control and benefits by all to natural resources. And the **LUSIP** and the **RFEDP Thematic Objective** is to review all existing Government environmental policies, mainstream gender and apply these during all the project cycle stages and ensure equitable participation of women, men, youth, persons with disabilities in environmental management.”

Strategies

- Create awareness on and involve communities in environmental management.
- Mobilize communities to be developed and raise awareness on environmental issues, existing government environmental policies and their implications for women, men and the entire community well ahead of commencement of project implementation.
- Mainstream gender into all environmental issues.
- Commit to putting both the practical and strategic needs of the community at the centre of their programmes, structures and policies.

6.10 INFORMATION AND COMMUNICATION

Lack of technology is usually a serious problem in the rural sector and it was the case within the LUSIP. The only type of technology that was found to be common in the area was a cell phone. Almost all of the respondents owned a cell phone and used it to communicate with the outside world, and conducted businesses using it. Key informants pointed out that MTN was about to revolutionise the financial sector through their mobile money. This is one of their

newest products that can be used to send money to relatives at home without having to send actual cash. This could be a good product to use by SMEs as the micro-lenders and financiers could use the same procedures.

6.10.1 THEMATIC POLICY STATEMENTS:

The **LUSIP** and the **RFEDP thematic policy statement** is that **SWADE and RFEDP** shall commit to ensure access to appropriate, affordable and gender sensitive technology to the communities that they serve. The **thematic Policy Statement** for the **National Gender Policy** on the other hand is that “the government will create a conducive environment for the improvement of communication infrastructure to allow equitable access to information for all levels, improve the participation of women and persons with disabilities in the media and address their negative portrayal.”

6.10.2 THEMATIC OBJECTIVES AND STRATEGIES:

The **National Gender Policy thematic objectives** are “1) to ensure easy access to opportunities for the use of all forms of communication media (roads infrastructure, radio and telecommunication, electronic mail, and other media technology) by all members of society and 2) “to increase the participation, access and control of all forms of media and communication technology”

The **thematic programme objective** for the **LUSIP** and the **RFEDP** is to advocate for the generation of appropriate and affordable gender sensitive technologies

Strategies

- Promote research, development and dissemination of gender responsive technologies
- Encourage the strengthening of farmer, research and extension services linkages to influence design of gender sensitive technologies
- Promote affordable labour and time-saving technologies for improved household food preparation, processing and storage.

7. INSTITUTIONAL FRAMEWORK FOR THE IMPLEMENTATION OF THE GENDER POLICY

The Ministry of Agriculture (MOA) through SWADE and the Ministry of Finance (MOF) through RFEDP are mandated to spearhead the formulation, implementation, co-ordination, monitoring and evaluation of the LUSIP and the RFEDP gender policy respectively. At the LUSIP there are both traditional and modern systems. SWADE represents the modern system and works hand in hand with the traditional systems such as chieftdom committees. Additionally, the two are to oversee the mainstreaming of gender in all activities, programmes and departments at the LUSIP and other areas of operation.

7.1 INSTITUTIONALIZING GENDER ISSUES

Institutionalising gender in policy and planning is a process that needs to be followed carefully. Bearing in mind that gender issues are multi-sectoral and cut across all areas of development. SWADE and RFEDP shall collaborate closely with other key stakeholders within the LUSIP and other areas of operation, in particular NGOs CBOs, the private sector and local leaders to push forward the gender agenda of mainstreaming gender in all their areas of operation. SWADE and RFEDP shall transform their departments and other structures within LUSIP and other areas of operation in order to ensure that gender is mainstreamed in all programmes and activities. This could be done through, identifying gender focal points, education and training and gender responsive budgeting.

7.1.1 GENDER PROGRAMME

A gender programme shall be established within the project or programme Planning Units or departments for the day to day coordination of the programmes, and this must be at senior level. The LUSIP Gender Equality Network and other gender networks working with RFEDP shall play the role of identifying critical gender issues and share information with existing institutions within the LUSIP and other areas of operation and facilitate workshops to discuss gender issues that may arise. The gender programme requires to be institutionalized within the existing programmes within the LUSIP and the RFEDP. For the success of the programme there is need for political commitment, resource allocation and staff development.

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7.1.2 POLITICAL WILL

Political commitment to the gender agenda is uppermost in the success of the gender programme. The political commitment needs to be translated into resources to support policy. However, it is important to point out that resource allocation for gender will cut across all the departments as gender is a cross-cutting issue and not a responsibility for one department, usually, the social welfare department. This implies a fundamental challenge to the dominant organizational culture and the processes of intervention and techniques used by members of an organization. The Ministry of Agriculture for SWADE and the Ministry of Finance for RFEDP are the most critical stakeholders and the two ministers need to be sensitized on gender mainstreaming at the LUSIP in particular in order to solicit their understanding and support of the gender programme.

7.1.3 STAFF DEVELOPMENT

Staff development is also a critical factor in the gender programme. Staff development refers to training in both gender policy and planning skills for all professionals, both women and men as well as providing equal opportunities for women and men as workers in the organization, for example, recruitment, promotion and access to training. However, for the training on gender to be effective and bring about a positive change in the organizations, it needs to be accompanied by a clear gendered policy framework and procedures. This is important because gender training in a gender blind atmosphere is a recipe for wasted training as the practitioners are not going to be able to put into practice their new skills, and they will soon be forgotten.

7.1.4 BUDGETING

Gender responsive budgeting is an important aspect of ensuring equitable allocation of resources. A gender responsive budget will ensure that the needs of women are met and some of these needs include finances to ensure food security and meeting the basic needs such as food, shelter and clothing. Women are usually concerned about the bread and butter issues.

When asked what they will do with money from their shares, they may mention making improvements to their house or building a house, purchase clothes, a car and pay school fees. Gender responsive budgeting will take care of these concerns.

In order to institutionalize a gender responsive budgeting system within the LUSIP and the RFEDP there is need for training of planning and budgeting officers in both organizations. Training institutions such as the Tanzanian Gender Network Group (NGNP) on models such as the Medium Term Expenditure Framework (MTEF)³² and others can go a long way in institutionalizing the gender responsive budget.

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7.2 GENDER FOCAL POINTS

To institutionalize gender in all its sectors of operation, SWADE and RFEDP shall drive the establishment of gender focal points at all levels of the organizations and in all departments as well as within all the structures at community level. The gender specialists within the LUSIP

³² MTEF potentials as a model for gender mainstreaming include: 1) a three-year horizon, allowing a space for planning according to objectives linked to long-term national goals including gender equality; 2) its provision for the identification of gaps and opportunities at various levels; 3) strong focus on stakeholder analysis, creating space for gender equity, equality and women's participation at all levels of planning and budgeting and 4) creates opportunities for capacity building activities which could include gender capacity sessions.

and the RFEDP will need to be the authorities to coordinate the gender focal points, organize empowerment programmes for all the gender focal points as well as the responsibility to monitor and evaluate gender mainstreaming at all levels. The gender focal points located within each unit will ensure gender mainstreaming is effected in their respective units, identify capacity gaps where they exist and ensure that requisite training is offered.

7.3. MONITORING AND EVALUATION

The implementation of the policy requires an integrated and effective M&E system with appropriate and efficient feedback mechanisms. It requires undertaking M&E functions at all levels including collecting data at both the grassroots and macro-sectoral levels. There is also a need to enhance gender planning skills for all those involved.

7.3.1 Indicators for Gender Mainstreaming

Issue	Output	Indicators
Social issues	Enhanced conducive environment for promotion of gender responsive culture	<ul style="list-style-type: none"> • Negative social practices addressed at meetings • Positive cultural practices promoted through cultural events at the community level • Increased % of women participating in community meetings • Increased % in shareholding for FHHs
Health, Reproductive health and HIV	Increased access to health & SRH services & facilities for men, women, girls & boys through -out the life cycle.	<ul style="list-style-type: none"> • Number of accessible health and SRH facilities and services by 2013 • Ratio of males and females participating in public health issues (nutrition/disease.) • Reduction in the prevalence of child malnutrition by gender

Issue	Output	Indicators
Education and Training	Enhanced equitable universal education for boys, girls, men and women.	<ul style="list-style-type: none"> • Increased number of girls, boys, women and men enrolled and trained by 2013. • Increased retention percentage for girls and persons with disabilities by 2013. • Number of girls, boys, women and men accessing education and training increased by 2013. • No. of people trained by gender (business support entities project staff and SME unit)
Legal and Human Rights	Strengthened legal and cultural environment which promotes gender equality and equity Enhanced capacity of duty bearers on enacted laws and policies.	<ul style="list-style-type: none"> • Number of laws reformed and enforced • Number of duty bearers trained and able to apply enacted laws and policies • No. of girls allocated productive resources • Proportion of women and men appointed as successors in the shareholding. • No. of pro-poor enabling policies/measures/strategies promulgated
Power and Decision-making	Enhanced conducive environment for women participation in decision making positions at all levels.	<ul style="list-style-type: none"> • 60/40 representation men, women and youth in the formation, training and management of the local institutions such as Community Development Committee and Sigodzi, portable water supply and sanitation committee, etc. • At least 30% women participation in decision making positions at all levels by 2013 • Ratio of females and males participating in decision-making in portable water and sanitation development.

Issue	Output	Indicators
Gender-Based Violence	<p>Mechanisms to combat Gender based violence strengthened</p> <p>Mechanisms to protect victims of GBV strengthened</p> <p>Advocacy for more protective environment against gender based violence strengthened.</p> <p>Capacity of duty bearers in addressing GBV enhanced</p>	<ul style="list-style-type: none"> • % decrease in cases of Gender based violence recorded. • % increase in number of services to protect victims of GBV introduced • Number of advocacy interventions undertaken and successfully completed. • % increase in number of duty bearers offering services to victims of GBV
Information and Communication	<p>Improved information flow and communication using different kinds of communication systems.</p> <p>Enhanced participation, access and control by women for use of all forms of media, arts and communication technology</p>	<ul style="list-style-type: none"> • Increased information flow and communication by 2013 • % increase in number of women participating, accessing and controlling different kinds of media. • Increased number of women, men and youth using mobile technology such as mobile money
Environment and Natural Resources	<p>Enhanced conducive environment for men, women and other vulnerable groups to have equal access, control and benefits to natural resources.</p> <p>Increased participation of women in environmental management.</p>	<p>Equitable access, control and benefits to natural resources by men, women, people with disability and other vulnerable groups enhanced by 2013</p> <p>% increase in number of women involved in environmental management by 2013</p>